

**Notice of Allowability**

Application No.

10/685,148

Examiner

HELEN SHIBRU

Applicant(s)

KAWAHARA, MINORU

Art Unit

2621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/26/2009.
2. ☒ The allowed claim(s) is/are 1-7, 9, 11-17, 19, 21-27, and 29 as renumbered.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>10/20/2009</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                      |
|  | 9. <input type="checkbox"/> Other _____.   |

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul A. Levy on 10/20/2009.

2. Claims 8, 10, 18, 20, 28 and 30 are cancelled. Applicant's right is reserved to file divisional application(s).

3. Claims 21-27 and 29 are amended as sets forth below.

21. (Currently Amended) A non-transitory computer-readable storage medium storing a computer program for causing a computer to execute a data processing method, said data processing method comprising the steps of:

detecting completion of preparations for outputting first data read from a data recording medium which stores said first data and second data corresponding to said first data and having a data amount smaller than that of said first data, wherein said first data are made up of a continuous collection of clips, said first data being reproduced on a clip by clip basis;

calculating a current clip read ending position and a next clip read starting position;

determining whether the current clip remaining read duration is less than or equal to the difference between the current clip remaining reproduction duration and a next clip reproduction preparation duration; and

outputting selectively said second data read from said data recording medium until the completion of said preparations for outputting said first data is detected,

wherein said outputting step further comprises: outputting selectively said first data once the completion of said preparations for outputting said first data is detected,

utilizing a ready flag to denote a status of the preparations based upon the determining step.

22. (Currently Amended) The non-transitory computer-readable storage medium according to claim 21, wherein said data processing method further comprises the steps of:

firstly controlling reproduction of said first data;

and secondly controlling reproduction of said second data;

wherein said first controlling step controls the reproduction of said first data in response to the reproduction of said second data controlled in said second controlling step.

23. (Currently Amended) The non-transitory computer-readable storage medium according to claim 21, wherein said first data and said second data corresponding to said first data are stored intermittently on said data recording medium.

24. (Currently Amended) The non-transitory computer-readable medium according to claim 21, wherein said first data are video data and said second data are video data obtained by lowering resolution of the video data constituting said first data.

25. (Currently Amended) The non-transitory computer-readable storage medium according to claim 24, wherein said data processing method further comprises the step of resizing the video data constituting said second data into the same size as that of said first data.

26. (Currently Amended) The non-transitory computer-readable storage medium according to claim 21, wherein said data processing method further comprises the step of decoding said first data furnished as encoded data; and wherein said detecting step detects completion of preparations for outputting results of the decoding performed in said decoding step.

27. (Currently Amended) The non-transitory computer-readable storage medium according to claim 21, wherein said data processing method further comprises the step of reading said first data and said second data from said data recording medium.

29. (Currently Amended) The non-transitory computer-readable storage medium according to claim 27, wherein said reader stops reading of the current clip from said

Art Unit: 2621

data recording medium in said current clip read ending position and starts the reading of the next clip from said next clip read starting position.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/  
Examiner, Art Unit 2621  
October 21, 2009

/Thai Tran/

Application/Control Number: 10/685,148

Page 6

Art Unit: 2621

Supervisory Patent Examiner, Art Unit 2621